

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

REUBEN JOHNSON,

Plaintiff,

v.

AMERICAN DENTAL ASSOCIATION,

Defendant.

NO. CV-08-3070-EFS

**ORDER DISMISSING ACTION  
WITH PREJUDICE**

In a May 22, 2009 Order, the Court directed Plaintiff Reuben Johnson to file an amended complaint within three (3) weeks if he wished to proceed with this matter. (Ct. Rec. [67](#).)<sup>1</sup> Because the filing deadline came and passed without an amended complaint being filed, dismissal is appropriate for failure to prosecute. See FED. R. CIV. P. 41(b).

Accordingly, **IT IS HEREBY ORDERED:**

1. The Complaint (Ct. Rec. [1](#)) is **DISMISSED with prejudice;**

2. Judgment shall be entered in Defendant American Dental Association's favor;

3. All pending motions are denied as moot;

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<sup>1</sup>The Court required an amended complaint based on its concern that Plaintiff was an unknowing participant in this litigation.

1 4. All pending hearing and trial dates are stricken; and

2 5. This file shall be closed.

3 **IT IS SO ORDERED.** The District Court Executive is directed to enter  
4 this Order and to provide copies to all counsel and Plaintiff.

5 **DATED** this 16th day of June 2009.

6  
7 s/ Edward F. Shea

8 EDWARD F. SHEA

9 United States District Judge

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